

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

DOCUMENT MANAGEMENT SYSTEMS  
LLC,

Plaintiff,

v.

AMAZON.COM, INC.;  
GOOGLE INC.;  
IAC/INTERACTIVECORP;  
LEXISNEXIS;  
LOGIKA CORPORATION;  
LYCOS INC.;  
NEWS CORPORATION;  
REED ELSEVIER, INC;  
THOMSON REUTERS;  
WEBMD, LLC;  
YAHOO! INC.;

Defendants.

C.A. No: 1:11-cv-332

JURY TRIAL DEMANDED

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Document Management Systems LLC complains of the defendants as follows:

**PARTIES**

1. Plaintiff Document Management Systems LLC (“DMS”) is a Texas limited liability company having offices at 6136 Frisco Square Boulevard, Suite 385, Frisco, Texas 75034.

2. Upon information and belief, Defendant Amazon.com, Inc., (“Amazon.com”) is a Delaware corporation with its principal place of business at 410 Terry Avenue North, Seattle, Washington 98109.

3. Upon information and belief, Defendant Google Inc., (“Google”) is a Delaware corporation with its principal place of business at 1600 Amphitheatre Parkway, Mountain View, California 94043.

4. Upon information and belief, Defendant IAC/InteractiveCorp (“IAC”) is a - Delaware corporation with its principal place of business at 555 West 18<sup>th</sup> Street, New York, New York 10011.

5. Upon information and belief, Defendant LexisNexis (“LexisNexis”) is an Ohio corporation with its principal place of business at 9443 Springboro Pike, Dayton, Ohio, 45342.

6. Upon information and belief, Defendant LOGIKA Corporation (“LOGIKA”) is a Illinois corporation with its principal place of business 3717 North Ravenswood, Suite 244, Chicago, Illinois 60613.

7. Upon information and belief, Defendant Lycos, Inc., (“Lycos”) is a Virginia corporation with its principal place of business at 100 Fifth Avenue, 3<sup>rd</sup> Floor, Waltham, Massachusetts 02451.

8. Upon information and belief, Defendant News Corporation (“News Corporation”) is a Delaware corporation with its principal place of business at 1211 Avenue of the Americas, New York, New York 10036.

9. Upon information and belief, Defendant Reed Elsevier Inc. (“Reed Elsevier”) is an English corporation with offices at 125 Park Avenue, 23<sup>rd</sup> floor, New York, New York 10017.

10. Upon information and belief, Defendant Thomson Reuters (“Thomson Reuters”) is a Canadian corporation with offices at 3 Times Square, New York, New York 10036.

11. Upon information and belief, Defendant WebMD, LLC (“WebMD”) is a Delaware corporation with its principal place of business at 111 EIGHT Avenue, 7<sup>th</sup> Floor, New York, New York 10011.

12. Upon information and belief, Defendant Yahoo! Inc. (“Yahoo”) is a Delaware corporation with its principal place of business at 701 First Avenue, Sunnyvale, California 94089.

### **JURISDICTION AND VENUE**

13. This is an action for patent infringement arising under the laws of the United States, 35 U.S.C. § 1, *et seq.* Jurisdiction in this district is proper pursuant to 28 U.S.C. §§ 1331 and 1338(a).

14. This Court has personal jurisdiction over the defendants. Upon information and belief, each of the defendants has transacted business in this judicial district and/or has committed, contributed to, or induced acts of patent infringement in this judicial district.

15. Venue in this judicial district is proper pursuant to 28 U.S.C. §§ 1391 and 1400(b).

### **THE PATENTS IN SUIT**

16. Plaintiff is the exclusive licensee with standing to sue for infringement of United States Patent No. 5,634,051 (“the ’051 patent”) entitled “Information Management System” that was duly and legally issued on May 27, 1997, to named inventor Willaim K. Thomson. A copy of the ’051 Patent is attached as Plaintiff’s Exhibit 1.

### **CLAIM FOR RELIEF OF INFRINGEMENT**

17. The defendants as specified below (“as acts of infringement”) have infringed and are infringing one or more claims of the ’051 Patent in violation of 35 U.S.C. § 271 by making, using, or selling products and services of storing, searching and retrieving information that store in electronically retrievable form a large domain of data contained in documents obtained from multiple source records, generate an electronically executable search query, electronically search at least a portion of such data based on the query to identify documents of multiple document

types responsive to the query, sort documents responsive to the query and present a summary of the number of documents responsive to the query.

18. Amazon.com's acts of infringement as covered by one or more claims of the '051 Patent include making, using, or selling Alexa's products and services labeled by Amazon.com as "Alexa Search Engine", which is a system of storing, searching and retrieving information that stores in electronically retrievable form a large domain of data contained in documents obtained from multiple source records, generates an electronically executable search query, electronically searches at least a portion of such data based on the query to identify documents of multiple document types responsive to the query, sorts documents responsive to the query, and presents a summary of the number of documents responsive to the query.

19. Google's acts of infringement as covered by one or more claims of the '051 Patent include making, using, or selling Google's products and services labeled by Google as "Google Search", which is a system of storing, searching and retrieving information that stores in electronically retrievable form a large domain of data contained in documents obtained from multiple source records, generates an electronically executable search query, electronically searches at least a portion of such data based on the query to identify documents of multiple document types responsive to the query, sorts documents responsive to the query, and presents a summary of the number of documents responsive to the query.

20. IAC's of infringement as covered by one or more claims of the '051 Patent include making, using, or selling IAC's products and services labeled by IAC as "Ask.com",

which is a system of storing, searching and retrieving information that stores in electronically retrievable form a large domain of data contained in documents obtained from multiple source records, generates an electronically executable search query, electronically searches at least a portion of such data based on the query to identify documents of multiple document types responsive to the query, sorts documents responsive to the query, and presents a summary of the number of documents responsive to the query.

21. LexisNexis's acts of infringement as covered by one or more claims of the '051 Patent include making, using, or selling LexisNexis's products and services labeled by LexisNexis as "Lexis.com", which is a system of storing, searching and retrieving information that stores in electronically retrievable form a large domain of data contained in documents obtained from multiple source records, generates an electronically executable search query, electronically searches at least a portion of such data based on the query to identify documents of multiple document types responsive to the query, sorts documents responsive to the query, and presents a summary of the number of documents responsive to the query.

22. LOGIKA's acts of infringement as covered by one or more claims of the '051 Patent include making, using, or selling LOGIKA's products and services labeled by LOGIKA as "Galaxy", which is a system of storing, searching and retrieving information that stores in electronically retrievable form a large domain of data contained in documents obtained from multiple source records, generates an electronically executable search query, electronically searches at least a portion of such data based on the query to identify documents of multiple document types responsive to the query, sorts documents responsive to the query, and presents a summary of the number of documents responsive to the query.

23. Lycos's acts of infringement as covered by one or more claims of the '051 Patent include making, using, or selling Lycos's products and services labeled by Lycos as "Lycos Search", which is a system of storing, searching and retrieving information that stores in electronically retrievable form a large domain of data contained in documents obtained from multiple source records, generates an electronically executable search query, electronically searches at least a portion of such data based on the query to identify documents of multiple document types responsive to the query, sorts documents responsive to the query, and presents a summary of the number of documents responsive to the query.

24. News Corporation's acts of infringement as covered by one or more claims of the '051 Patent include making, using, or selling News Corporation's products and services labeled by News Corporation as "Factiva", which is a system of storing, searching and retrieving information that stores in electronically retrievable form a large domain of data contained in documents obtained from multiple source records, generates an electronically executable search query, electronically searches at least a portion of such data based on the query to identify documents of multiple document types responsive to the query, sorts documents responsive to the query, and presents a summary of the number of documents responsive to the query.

25. Reed Elsevier's acts of infringement as covered by one or more claims of the '051 Patent also include making, using, or selling Reed Elsevier's products and services labeled by Reed Elsevier as "SciVerse", which is a system of storing, searching and retrieving information that stores in electronically retrievable form a large domain of data contained in documents

obtained from multiple source records, generates an electronically executable search query, electronically searches at least a portion of such data based on the query to identify documents of multiple document types responsive to the query, sorts documents responsive to the query, and presents a summary of the number of documents responsive to the query.

26. Thomson Reuters' acts of infringement as covered by one or more claims of the '051 Patent include making, using, or selling Thomson Reuters' products and services labeled by Thomson Reuters as "Westlaw", which is a system of storing, searching and retrieving information that stores in electronically retrievable form a large domain of data contained in documents obtained from multiple source records, generates an electronically executable search query, electronically searches at least a portion of such data based on the query to identify documents of multiple document types responsive to the query, sorts documents responsive to the query, and presents a summary of the number of documents responsive to the query.

27. WebMD's acts of infringement as covered by one or more claims of the '051 Patent include making, using, or selling WebMD's products and services labeled by WebMD as "WebMD", which is a system of storing, searching and retrieving information that stores in electronically retrievable form a large domain of data contained in documents obtained from multiple source records, generates an electronically executable search query, electronically searches at least a portion of such data based on the query to identify documents of multiple document types responsive to the query, sorts documents responsive to the query, and presents a summary of the number of documents responsive to the query.



28. Yahoo!'s acts of infringement as covered by one or more claims of the '051 Patent include making, using, or selling Yahoo!'s products and services labeled by Yahoo! as "Yahoo Web Search", which is a system of storing, searching and retrieving information that stores in electronically retrievable form a large domain of data contained in documents obtained from multiple source records, generates an electronically executable search query, electronically searches at least a portion of such data based on the query to identify documents of multiple document types responsive to the query, sorts documents responsive to the query, and presents a summary of the number of documents responsive to the query.

29. Yahoo!'s acts of infringement as covered by one or more claims of the '051 Patent also include making, using, or selling Yahoo!'s products and services labeled by Yahoo! as "AltaVista Web Search", which is a system of storing, searching and retrieving information that stores in electronically retrievable form a large domain of data contained in documents obtained from multiple source records, generates an electronically executable search query, electronically searches at least a portion of such data based on the query to identify documents of multiple document types responsive to the query, sorts documents responsive to the query, and presents a summary of the number of documents responsive to the query.

### **DEMAND FOR JUDGEMENT**

**WHEREFORE**, Plaintiff DMS respectfully requests this Court to enter judgment against the defendants and against their subsidiaries, successors, parents, affiliates, officers, directors,

agents, servants, employees, and all persons acting in concert or participating with the defendants, granting the following relief:

- A. The entry of judgment in favor of Plaintiff and against each of the defendants;
- B. A judgment that each of the defendants' making, using, and/or selling, within the State of Texas and elsewhere in the United States the defendants' accused products and services infringes, actively induces others to infringe, and/or contributorily infringes the '051 Patent;
- C. An award of damages adequate to compensate Plaintiff for the infringement that has occurred, together with prejudgment interest from the date the infringement began, but in no event less than a reasonable royalty as permitted by 35 U.S.C. § 284;
- D. A finding that each of the defendants' infringement has been willful and an award of increased damages as provided by 35 U.S.C. § 284;
- E. A finding that each of the defendants' infringement has been willful and an award of increased damages as provided by 35 U.S.C. § 285;
- F. A permanent injunction prohibiting further infringement, inducement, and/or contributory infringement of the '051 Patent;
- G. Costs and expenses in this action; and

H. Such other relief that Plaintiff is entitled to under law and any other further relief that the Court may deem just and proper.

**DEMAND FOR JURY TRIAL**

Plaintiff DMS demands a trial by jury on all issues presented in this complaint.

Respectfully submitted,

Date: April 22, 2011

By: /s/ John Biggers

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